

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 14, 1983
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS -12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Mitchell at 2:10 p.m.

Chairperson Mitchell adjourned the meeting at 4:30 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Hedgecock-excused by R-259754 (City business
in the Orient.)

(1) Council Member Mitchell-present.

(2) Council Member Cleator-excused by R-259619(vacation)

(3) Council Member McColl-present.

(4) Council Member Jones-present.

(5) Council Member Struiksma-present.

(6) Council Member Gotch-present.

(7) Council Member Murphy-present.

(8) Council Member Martinez-present.

Clerk-Abdelnour (jb)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

Mayor Hedgecock-not present.

Council Member Mitchell-present.

Council Member Cleator-not present.

Council Member McColl-not present.

Council Member Jones-present.

Council Member Struiksma-present.

Council Member Gotch-present.

Council Member Murphy-present.

Council Member Martinez-present.

ITEM-10: INVOCATION

Invocation was given by Father Joseph Ridella, Pastor of the
Holy Angels Byzantine Catholic Church.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE LOCATION:

MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

10/10/83 P.M.

10/11/83 A.M. and P.M.

10/17/83 P.M.

10/18/83 A.M. and P.M.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A030-040).

MOTION BY GOTCH TO APPROVE THE MINUTES. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-not present,

McColl-not present, Jones- yea, Struiksma-yea, Gotch-yea,

Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-31: GRANTED HEARING

Matter of the request of Gary M. Thomas for a hearing of an appeal from the decision of the Planning Commission in denying Hillside Review Permit HRP-83- 0554 which proposes to develop the site with 12 residential units.

The subject property is located at 4055 Eagle Street, in the R-3 (HR) Zone, within the boundaries of the Uptown Community Plan and is described as Lots 11 through 14, Block 49, Arnold & Choate's Addition, Map-334.

(HRP-83-0554. District-2.)

NOTE: If the request to allow an appeal is granted, the project will be heard on December 6, 1983 at 10:00 a.m.

FILE LOCATION:

PERM HRP-0554

COUNCIL ACTION: (Tape location: A041-068).

MOTION BY GOTCH TO GRANT THE HEARING. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-not present,

McColl-not present, Jones- yea, Struiksma-yea, Gotch-yea,

Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-50: (O-84-10) ADOPTED AS ORDINANCE O-16081 (New Series)

Amending Chapter X, Article 2, Division 7 of the San Diego

Municipal Code by amending Section 102.0702 relating to certificate of compliance.

(Introduced on 10/31/83. Council voted 9-0.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A160-163).

CONSENT MOTION BY MURPHY TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-51: (O-84-75) ADOPTED AS ORDINANCE O-16082 (New Series)

Authorizing an amendment to a loan agreement with Southwest Marine, Inc. for the acquisition of a floating drydock and a supplemental trust agreement with a trustee or trustees to be selected in connection with the issuance of City of San Diego Industrial Development Revenue Bonds (Southwest Marine, Inc. Project) Series B in an aggregate amount not to exceed \$13,000,000.

(Barrio Logan Community Area. District-8. Introduced on 10/31/83. Council voted 8-0. District 8 not present.)

NOTE: Six votes required.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A160-163).

CONSENT MOTION BY MURPHY TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-52: (O-84-76 Rev.) INTRODUCED, TO BE ADOPTED DECEMBER 5, 1983

Introduction of an Ordinance amending Chapter II, Article 2, Division 10 of the San Diego Municipal Code by amending Sections 22.1016 and 22.1017, relating to the Suggestion Awards Program.

(See City Manager Report CMR-83-427.)

CITY MANAGER REPORT:

On October 17, 1983, the Rules Committee reviewed the City Manager's recommendations, outlined in City Manager's Report CMR-83-427, of possible methods for improving administration of the Suggestion Awards Program.

The Committee Actions were as follows:

Delete recommendation number 1 which would have allowed Suggestion Awards to be made upon Suggestion Awards Committee recommendation and City Manager approval. The current procedure to require Council approval before awards are made will remain the same.

Approve recommendation number 2 deleting merchandise awards for Category II suggesters and replacing them with monetary awards at the current levels.

Approve recommendation number 3 formalizing the requirement that suggestions must be submitted no later than 60 days after implementation. This has been a part of the program since it was implemented.

The action before Council today is adopting those recommendations.

FILE LOCATION:

-

COUNCIL ACTION: (Tape location: A164-167).

CONSENT MOTION BY STRUIKSMA TO INTRODUCE THE ORDINANCE.

Second

by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- not present.

* ITEM-53: (O-84-87) INTRODUCED, TO BE ADOPTED DECEMBER 5, 1983

Introduction of an Ordinance amending Chapter II, Article 6 of the San Diego Municipal Code by amending Section 26.06 relating to the Small Business Advisory Board and providing for expansion from seven to nine members.

FILE LOCATION:

-

COUNCIL ACTION: (Tape location: A164-167).

CONSENT MOTION BY STRUIKSMA TO INTRODUCE THE ORDINANCE.

Second

by Murphy Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- not present.

* ITEM-100:

19831114

Three actions relative to awarding contracts:

Subitem-A: (R-84-719) ADOPTED AS RESOLUTION R-259590

Moore Business Forms for the purchase of 400,000 sets of parking citations form TR-1505 for an actual cost of \$18,742.07, including tax, terms and contingency; providing a contingency cost not to exceed \$1,896.55, including sales tax, in the event of an over run, not to exceed 10 percent of order and for a plate change requested by the City. BID-5314

Subitem-B: (R-84-720) ADOPTED AS RESOLUTION R-259591

Husky Industries, Inc. for the purchase of powder activated carbon as may be required for a period of one year beginning November 1, 1983 through October 31, 1984, for an estimated cost of \$12,316, including tax and freight, with an option to renew the contract for an additional one year period, material prices subject to an escalation price not to exceed 15 percent of bid price and freight prices to be at the prevailing rate.

BID-5242

Subitem-C: (R-84-635) RETURNED TO CITY MANAGER

Compumat Company for furnishing coin-operated microcomputers at various San Diego Branch Libraries for a period of three years beginning November 1, 1983 through October 31, 1986 for an estimated revenue to the City of \$1000 per year per library.

BID-5256

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT SUBITEMS-A AND B. (BY COMMON

CONSENT, CHAIRPERSON MITCHELL RETURNED SUBITEM-C TO THE CITY MANAGER, AT THE MANAGER'S REQUEST.) Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy- yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-101:

19831114

Three actions relative to the construction of Jackson Drive:

(Navajo Community Area. District-7.)

Subitem-A: (R-84-724) ADOPTED AS RESOLUTION R-259592

Inviting bids for the improvement of Jackson Drive from 50 feet southerly of Winding Creek Drive to 200 feet northerly of Park Ridge Boulevard on Work Order No. 122266; authorizing the

execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$77,000 of Gas Tax Fund 30219 from CIP-52-103.1 Pomerado Road - Phase I to CIP- 52-122 Jackson Drive - Park Ridge Boulevard to Winding Creek Drive; and 77,000 of Capital Outlay Fund 30245 from CIP-52-122 Jackson Drive - Park Ridge Boulevard to Winding Creek Drive to CIP-52-103.1 Pomerado Road - Phase I; authorizing the expenditure of \$3,603,055 not to exceed \$3,526,055 from Capital Outlay Fund 30245, CIP-52-122, Jackson Drive - Park Ridge Boulevard to Winding Creek Drive, and \$77,000 from Gas Tax Fund 30219, CIP-52-122, Jackson Drive - Park Ridge Boulevard to Winding Creek Drive for providing funds for said project and related costs; authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5372

Subitem-B: (R-84-766) ADOPTED AS RESOLUTION R-259593

Authorizing the execution of a second amendment to agreement with Leighton and Associates to provide professional services in connection with the improvement of Jackson Drive from Park Ridge Boulevard to Winding Creek Drive; authorizing the expenditure of \$86,521 from CIP-52-122.0 for the above project.

Subitem-C: (R-84-725) ADOPTED AS RESOLUTION R-259594

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-79-04-56 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

CITY MANAGER REPORT:

This project constructs the missing portion of Jackson Drive from 50 feet southerly of Winding Creek Drive to 200 feet northerly of Park Ridge Boulevard, a total distance of 3,000 feet. Once completed, Jackson Drive will provide access from Navajo Road to Mission Gorge Road. The project will construct full improvements, which include four paved lanes with paved shoulders, drainage facilities, and curbs and sidewalks. A buttress fill adjacent to the roadway is included in the project construction. The earlier

geotechnical investigation and design agreement with Leighton and Associates identified the presence of geotechnical concerns which necessitate buttress fill stabilization. The proposed second amendment to their agreement provides for their geotechnical services through the construction phase of the project. Project financing is proposed with Gas Tax Funds, City FAU (Federal Aid Urban) and matching funds, and private developer funds.

FILE LOCATION: Subitem-A W.O. 122266; Subitem-B and C MEET
COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-102: (R-84-723) ADOPTED AS RESOLUTION R-259595

Inviting bids for the construction of the Serra Mesa Community Park stairway on Work Order No. 118407; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to add CIP-29-523, Serra Mesa Community Park Stairway, to the FY 1984 Capital Improvements Program; authorizing the City Auditor and Comptroller to transfer \$35,000 from Park Service District Fund 11392 to CIP-29-523, Serra Mesa Community Park Stairway; authorizing the expenditure of funds not to exceed \$35,000 from Park Service Fund 11392, CIP-29-523, Serra Mesa Community Park Stairway, for said project and related costs; authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5366

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT:

This project will provide a concrete stairway at the Serra Mesa Community Park, located at Glencolum Drive and Village Glenn Drive. The stairway will connect an existing parking lot and ballfield to the recreation building which is topographically separated by an approximate 30- foot high embankment. Presently, rather than utilizing the sidewalk around the perimeter of the park, children in the community climb up the bank. This short cut over the years has caused erosion problems and damage to the existing irrigation system on the bank. The proposed stairway will provide a safe, convenient access which should reduce our maintenance efforts at this park and eliminate a public hazard.

FILE LOCATION:

W. O. 118407

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-103: (R-84-747) ADOPTED AS RESOLUTION R-259596

Approving the final subdivision map of The Casitas, a four-lot subdivision located easterly of West Bernardo Drive and Poblado Road.

(Rancho Bernardo Community Area. District-1.)

FILE LOCATION:

SUBD The Casitas

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

831114

* ITEM-104:

19831114

Two actions relative to City Heights Block Grant Streets and Alleys - Contract II (1911 Act):

(Mid-City Community Area. District-3.)

Subitem-A: (R-84-656) ADOPTED AS RESOLUTION R-259597

Awarding a contract to Mur-Vic Construction Company, Inc. for the construction of City Heights Block Grant Streets and Alleys - Contract II.

Subitem-B: (R-84-657) ADOPTED AS RESOLUTION R-259598

Authorizing the City Manager to expend \$160,803 from Fund 18517, Dept. 5988, Org. 8807, \$12,375 from CIP-58-007, Fund 30245, \$114,974 from CIP-44-001, Sewer Revenue Fund 41506 and \$43,903 from CIP-73-083, Water Revenue Fund 41502, for the improvement of City Heights Block Grant Streets and Alleys Contract No. II.

CITY MANAGER REPORT:

The lowest of three bids was received from Mur-Vic Construction Company, Inc. in the amount of \$338,003 and was 15.9 percent below the estimate of \$402,092.

The project improvements consist of grading and paving nine alleys and a portion of one street within the City Heights area. Four of the alleys and one street will have the existing sewer main replaced because of its deteriorated condition and inadequate capacity. One alley will have the existing water main replaced for the same reasons.

Alley Block 1, Bungalow Park Addition and Alley Block 89, City Heights were abandoned by Council at the Public Hearing. This will result in a reduction in the construction contract of \$34,643.32. Community Development Block Grant Funds, Capital Outlay Funds and District Assessments shown under Fiscal Impact will be reduced accordingly. Water and sewer work is not affected. The reduction in contract amount will be accomplished by a construction change order subsequent to today's action awarding the contract. This is necessary in order to avoid re-bidding the project as a result of the deletion of two alleys from the project at the time of the Public Hearing.

FILE LOCATION: STRT D-2242

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-105:

19831114

Five actions relative to street vacations as follows:

(Subdivision maps are required. Clairemont Mesa Community Area. District- 6.)

Subitem-A: (R-84-757) ADOPTED AS AMENDED AS RESOLUTION
R-259599

Vacating Cowley Way adjacent to Lots 1 and 2, Block 6, Lot 1, Block 1; Lot 3, Block 5; and Lot 1, Block 2; Calle Neil between Clairemont Drive and Cowley Way; and Alley adjacent to

Lots 1 and 2, Block 1, all of Clairemont Garden Map- 2947, all within or adjacent to the boundaries of the Villamar Unit 1 Subdivision Map, under the procedure for the summary vacation of streets and public service easements by City Council resolution; this resolution shall not become effective unless and until the final subdivision map for the Villamar Unit 1 Subdivision (TM-82-0102) has been approved by Council action; in the event that the final map is not approved by July 12, 1988, this resolution shall become void and of no further force or effect; the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map.

Subitem-B: (R-84-755) ADOPTED AS AMENDED AS RESOLUTION
R-259600

Vacating Knapp Street adjacent to Lots 1 and 2, Block 3, and Lots 1 and 2, Block 2; Waco Street adjacent to Lot 1, Block 3; Lots 1 and 2, Block 4; and Lot 1, Block 2; Cowley Way adjacent to Lot 3, Block 5, and Lot 1, Block 2; the Alley adjacent to Lots 1 and 2, Block 4; and Alley adjacent to Lots 1 and 2, Block 3, all of Clairemont Garden Map-2947, all within or adjacent to the boundaries of the Villamar Unit 4 Subdivision Map, under the procedure for the summary vacation of streets and public service easements by City Council resolution; this resolution shall not become effective unless and until the final subdivision map for the Villamar Unit 4 Subdivision (TM-82-0102) has been approved by Council action; in the event that the final map is not approved by July 12, 1988, this resolution shall become void and of no further force or effect; the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map.

Subitem-C: (R-84-675) ADOPTED AS AMENDED AS RESOLUTION
R-259601

Vacating Waco Street adjacent to Lot 1, Block 3, and Lot 2, Block 4; the Alley adjacent to Lots 1 and 2, Block 4; and the Alley adjacent to Lots 1 and 2, Block 3, all of Clairemont Garden Map-2947, all within or adjacent to the boundaries of the Villamar Unit 5 Subdivision Map, under the procedure for the summary vacation of streets and public service easements by City Council resolution where a portion of a street or highway lies within property under one ownership and that does not

continue through such ownership or end touching property of another; this resolution shall not become effective unless and

until the final subdivision map for the Villamar Unit 5 Subdivision has been approved by Council action; in the event that the final map is not approved by July 12, 1988, this resolution shall become void and of no further force or effect; the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map.

Subitem-D: (R-84-756) ADOPTED AS AMENDED AS RESOLUTION
R-259602

Vacating the alley adjacent to Lots 1 and 2, Block 1, of Clairemont Garden Map-2947, all within the boundaries of the Villamar Unit 2 Subdivision Map, under the procedure for the summary vacation of streets and public service easements by City Council resolution where a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; this resolution shall not become effective unless and until the final subdivision map for the Villamar Unit 2 Subdivision has been approved by Council action; in the event that the final map is not approved by July 12, 1988, this resolution shall become void and of no further force or effect; the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map.

Subitem-E: (R-84-676) ADOPTED AS AMENDED AS RESOLUTION
R-259603

Vacating the alley adjacent to Lots 1 and 2, Block 2, of Clairemont Garden Map-2947, all within the boundaries of the Villamar Unit 3A Subdivision Map, under the procedure for the summary vacation of streets and public service easements by City Council resolution where a portion of a street or highway lies within property under one ownership and that does not continue through such ownership or end touching property of another; this resolution shall not become effective unless and until the final subdivision map for the Villamar Unit 3A Subdivision has been approved by Council action; in the event that the final map is not approved by July 12, 1988, this resolution shall become void and of no further force or effect; the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map.

CITY MANAGER REPORT:

The subject rights-of-way to be vacated were dedicated by the Clairemont Garden Subdivision Map in 1953. The abutting property owners have petitioned for the vacation to resubdivide and develop their property as the Villamar Subdivision, a Planned Residential

Development (PRD-82-0102). The project, which is bounded by Clairemont Drive on the west, Dakota Drive on the north, Tecolote Canyon on the east, and Iroquois Avenue on the south, requires the vacating of Calle Neil, Knapp and Waco Streets, and the Alleys within its boundaries. These rights-of-way will be replaced with a system of private streets and driveways to provide for access and circulation within the project.

Cowley Way, designated as two-lane collector street in the Clairemont Community Plan, will be relocated within the project in accordance with City design standards and will continue to provide for access and through-traffic circulation. The vacation of Cowley Way is conditioned upon the new right-of-way being dedicated and improved by the Villamar Subdivision. The rights-of-way to be vacated are fully improved and contain sewer, water, drain, telephone, gas, and electric facilities. Replacement of these improvements will be in accordance with the Council Resolution that approved the Villamar Subdivision (TM-82-0102). All public improvements, including sewer, water, and drain facilities, will be bonded for and constructed with the proposed Villamar Units 1-5 Subdivision Maps. City staff has concluded that these rights-of-way are no longer needed for present or prospective public use and can be summarily vacated, conditioned upon the Villamar Units 1-5 Subdivision Maps being approved and recorded. This action was processed in accordance with Council Policy 600-15.

FILE LOCATION: Subitem-A STRT J-2500 and DEED F-2164; Subitem-B DEED F-2165 STRT J-2500; Subitem-C STRT J-2500 and DEED F-2166;

Subitem-D STRT J-2500 and DEED F-2167; Subitem-E STRT J-2500 and DEED F-2168

COUNCIL ACTION: (Tape location: A196-308).

MOTION BY STRUIKSMA TO ADOPT AS AMENDED BY DELETING THE SECOND

SENTENCE IN ITEM 2 OF THE RESOLUTION, WHICH STATES, "IN THE EVENT THAT THE FINAL MAP IS NOT APPROVED BY JULY 12, 1988, THIS RESOLUTION

SHALL BECOME VOID AND OF NO FURTHER FORCE OR EFFECT;". Second by Gotch. Passed by the following vote: Mitchell- yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-106: (R-84-729) ADOPTED AS RESOLUTION R-259604

Approving the acceptance by the City Manager of that grant deed of Harold Joe Richardson, Jr. and Susanne Eileen Richardson granting to City as a gift for open space purposes a portion of Lot B in Block 362 of Horton's Addition; approving the acceptance by the City Manager of that grant deed of Arthur Levinson and Sandra B. Levinson, Trustees under Declaration of Trust dated July 6, 1979, and Herbert J. Solomon, Trustee of the Solomon Family Trust dated December 22, 1978, granting to City as a gift for open space purposes a portion of Parcel 1 of Parcel Map PM-12516.

(Located in the canyon area at Spruce and Albatross Streets near "Banker's Hill." Hillcrest Community Area. District-8.)

CITY MANAGER REPORT:

This acquisition results from a request for the City to accept a gift of canyon land for open space purposes from the owners of two improved parcels adjoining the canyon near Banker's Hill. This land, although not part of a City open space plan, lends itself well to the open space concept and the gift has the approval of the Park and Recreation Department and City Endowment Officer. The City has other land in the canyon dedicated for open space.

The donors are reserving the right to maintain the vegetation and the right of reversion should the City no longer want the land for open space.

FILE LOCATION:

DEED F-2169

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

*** ITEM-107: (R-84-740) ADOPTED AS RESOLUTION R-259605**

Authorizing the sale of property in Lot 18 of Resubdivision of Del Cerro Shores Unit 1 for a drainage easement for the amount of \$900; authorizing the Mayor and City Clerk to execute a quitclaim deed, quitclaiming to M. L. Chilcote, that drainage easement; declaring that no broker's commission shall be paid by the City on the described sale.

(Located on the north side of Del Cerro Boulevard, between College Avenue and Mission Trails Park. Del Cerro Community Area. District-7.)

CITY MANAGER REPORT:

An easement for storm drain purposes was acquired without cost by the City of San Diego in Lot 18 of Resubdivision of Del Cerro Shores

Unit 1 by filing the Subdivision Map which was recorded in February 1983. A recent construction change, approved in the field, has reduced the size of the storm drain. The Engineering and Development and Property Departments are, therefore, recommending the abandonment by issuance of a quitclaim deed for approximately 2,000 square feet of the easement which is now excess to the City's requirement.

FILE LOCATION:

DEED F-2170

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-108: (R-84-750) ADOPTED AS RESOLUTION R-259606

Authorizing the execution of an agreement with Fred Rodrick Blecksmith, Jr., AIA, Architect, Inc., for professional services required for preparation of contract documents for construction of San Ysidro Community Park Recreation Center Building Improvements; authorizing and approving the expenditure of \$34,000 from CIP-29-522, CDBG Fund No. 185191, Dept. No. 5731, Org. No. 3108, for the above purpose.

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT:

The proposed agreement with Fred Rodrick Blecksmith, AIA, Architect, Inc. will provide services required for preparation of plans and specifications for improvement and addition to the existing San Ysidro Community Park Recreation Center Building.

The fee for basic services is \$28,000. The agreement also provides additional funds not to exceed \$3,000 for reimbursable expenses and \$3,000 for extra work if and as authorized. The maximum amount payable by the proposed agreement is \$34,000.

This project is one of several approved by Council to be partially or totally financed with CDBG funds from Title 1 Public Law (98-8) Jobs Bill.

The grant requires the projects be in work as soon as possible. In order to expedite the design process the Council approved a waiver of Council Policy 300-7, Consultant Selection, on September 26, 1983.

The architect selected for the proposed agreement is fully qualified and available to start work immediately upon execution of the proposed agreement. The architect's last professional services agreement with the City was in 1976.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-109: (R-84-744) ADOPTED AS RESOLUTION R-259607

Authorizing the execution of an agreement with Donald R. Goldman and Associates for professional services required for the Adams Field House project; authorizing the expenditure of \$28,000 from CIP-29-462 for the above purpose and related costs.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT:

The proposed agreement with Donald R. Goldman and Associates will provide the professional services required for the design and construction of the Adams Field House Replacement, CIP-29-462. This project is one of several approved by Council to be partially or totally financed with CDBG Funds for Title 1 of Public Law 98-8 (Jobs Bill). A condition of that grant requires the projects to be completed in as short a time span as possible. The waiver of Council Policy 300-7, Consultant Selection, approved by Council on September 26, 1983 has allowed us to accelerate this process.

The architect selected for this project is fully qualified and available to start work immediately upon execution of the agreement. This is a very small architectural firm and the project will be handled by the principal. Mr. Goldman is experienced with City projects, having designed the Sailing Center in Mission Bay Park and the Olive Grove Recreation Building. Mr. Goldman has also donated substantial time to the City as a member of the Facilities Committee of the Park and Recreation Board.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-110: (R-84-743) ADOPTED AS RESOLUTION R-259608

Authorizing the execution of an agreement with Lloyd R.

Koenig, AIA, for professional services required for the Martin Luther King Jr. Community Park Recreation Building project; authorizing and approving the expenditure of \$85,000 from CIP-29-521 for the above purpose and related costs.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT:

The proposed agreement with Lloyd R. Koenig, AIA, will provide the professional services required for the design and construction of the Martin Luther King Community Park Recreation Building project, CIP-29- 521. This project is one of several approved by Council to be partially or totally funded with CDBG funds for Title 1 of Public Law 98-8 (Jobs Bill). A condition of that grant requires the projects to be completed in as short a time span as possible. The waiver of Council Policy 300-7, Consultant Selection, approved by Council on September 26, 1983 has allowed us to accelerate this process.

Mr. Koenig is exceptionally qualified to provide the architectural services for this project. He was a staff architect for the City of San Diego, the County of San Diego and the University of California at San Diego before entering private practice. His knowledge of governmental and commercial buildings is excellent and his personal attention to this project will assure a superior building for the community. Mr. Koenig has not had any other architectural contracts with the City.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-111: (R-84-745) ADOPTED AS RESOLUTION R-259609

Authorizing the execution of an agreement with the Nakamaki Group for professional services required for the Linda Vista Community Park - Additional Improvements project; authorizing and approving the expenditure of an amount not to exceed \$20,000 from CIP-29-465 for the above purpose and related costs.

(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT:

The proposed agreement with the Nakamaki Group will provide the professional services required for the design and construction of the Linda Vista Community Park Additional Improvements project,

CIP-29-465. This project is one of several approved by Council to be partially or totally financed with CDBG funds for Title 1 of Public Law 98-8 (Jobs Bill). A condition of that grant requires the projects to be completed in as short a time span as possible. The waiver of Council Policy 300-7, Consultant Selection, approved by Council on September 26, 1983 has allowed us to accelerate this process. The Nakamaki Group was selected due to their past involvement at this park. Their firm prepared the General Development Plan for this park as well as construction drawings for the park's initial development. They are a logical choice to complete the park with this project.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-112: (R-84-741) ADOPTED AS RESOLUTION R-259610

Authorizing the execution of an agreement with Niles T. Nordquist and Associates for professional services required for preparation of contract documents for the construction of Highland and Landis Community Park Development Phase II; authorizing the expenditure of an amount not to exceed \$39,000 from CIP-29-271.2, Park Service District Fund 15640, for the above purpose.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT:

The proposed agreement with Niles T. Nordquist and Associates will provide professional services required for preparation of plans and specifications for the improvement and renovation of existing facilities at Highland and Landis Community Park. The fee for basic services is \$35,000. The agreement also provides funds not to exceed \$5,000 for reimbursable expenses and extra work if and as authorized. The maximum amount payable by the proposed agreement is \$39,000. This project is one of several approved by Council to be partially or totally financed with CDBG funds from Title 1 Public Law (98-8) Jobs Bill. The grant requires the projects be in work as soon as possible. In order to expedite the design process the Council approved a waiver of Council Policy 300-7, Consultant Selection, on September 26, 1983. The landscape architect selected for this work is fully qualified and available to start work immediately upon execution of the proposed agreement. This

consultant has had one prior professional service agreement with the City. That project was for a similar improvement and renovation of a mature existing park.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-113: (R-84-746) ADOPTED AS RESOLUTION R-259611

Authorizing the execution of an agreement with William E. Peach and Associates for professional services required for the Encanto Community Park Additional Improvements project; authorizing and approving the expenditure of an amount not to exceed \$33,200 from CIP-29-442, for the above purpose and related costs.

(Southeast San Diego Community Area. District-3.)

CITY MANAGER REPORT:

The proposed agreement with William E. Peach and Associates will provide the professional services required for the design and construction of the Encanto Community Park Additional Improvements project, CIP-29-442. This project is one of several approved by Council to be partially or totally financed with CDBG funds for Title 1 of Public Law 98-8 (Jobs Bill). A condition of that grant requires the projects to be completed in as short a time span as possible. The waiver of Council Policy 300-7, Consultants Selection, approved by Council on September 26, 1983 has allowed us to accelerate this process. Mr. Peach is extremely qualified to provide the necessary design services for this project. He is familiar with City projects and successfully designed two small City park projects several years ago. Mr. Peach has a small practice and will personally design and manage this project.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-114: (R-84-560) ADOPTED AS RESOLUTION R-259612

Authorizing the execution of an agreement with the Regents of the University of California to construct a bikeway on Gilman Drive from Villa La Jolla Drive to the entrance of UCSD; authorizing the City Auditor and Comptroller to transfer the sum of \$64,400 in LTF funds to UCSD to be used for the above purpose.

(University Community Area. District-1.)

CITY MANAGER REPORT:

On June 24, 1983, the SANDAG Board of Directors approved a Resolution allocating \$295,710 in Local Transportation Funds (LTF) to the City of San Diego for various bicycle and pedestrian projects. The City's LTF claim identified \$64,400 specifically for the development of a Gilman Drive Bikeway. The intent of this project was that the City would apply for funds and the bikeway would be designated and constructed by UCSD. This Resolution and agreement will allow the transfer of these funds (\$64,400) to UCSD. This bikeway project represents the completion of the planned bicycle network as shown in the University Community Plan and also is consistent with the City's Master Bikeway Map.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-115: (R-84-703) ADOPTED AS RESOLUTION R-259613

Authorizing the execution of an agreement with John S. Rule and Associates for professional architectural services in connection with the design and construction of the Fire Station No. 19 Project; authorizing the City Manager to waive Council Policy 300-7 regarding Consultant Services Selection due to time constraints with the project; authorizing and approving the expenditure of an amount not to exceed \$35,000 from Capital Outlay Fund, CIP-33-057 (CDBG Fund No. 18519), for such professional services.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT:

This scheduled Capital Improvement Project will provide a residential class Fire Station housing four fire fighters and two apparatus on City-owned land at 35th Street and Ocean View Boulevard to replace the 50-year old facility at 3601 Ocean View Boulevard. The 1.75 acres were acquired in FY-1982 with CY-1980 and 1981

Community Development Block Grant funds. The project is consistent with the Southeast San Diego Community Plan and is in accordance with the City's General Plan Guidelines.

Funds for this project have been provided through the Community Development Block Grant Jobs Bill Allocation. It is recommended that the Council waive the consultant selection provisions of Council Policy 300-7 in order to expedite the project. At the Public Services and Safety Committee meetings of May 25 and June 8, 1983 regarding the Jobs Bill, the concept of waiving 300-7 was recommended as a means of accelerating these projects to provide for jobs. John S. Rule and Associates has the most recent experience in designing a Fire Station. The waiver of Council Policy 300-7 and the hiring of a consultant with recent experience in designing this type of facility will cut several months from the project schedule. The architect will be responsible for preparing construction contract documents in accordance with the program within a construction budget of \$385,000. The architect's base fee of \$30,000 is distributed as follows: architect, 45 percent; structural engineer, 18 percent; mechanical engineer, 14 percent; electrical engineer, 15 percent; and landscape architect, 8 percent.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-116: (R-84-664) ADOPTED AS RESOLUTION R-259614

Authorizing the execution of an amendment to the agreement with San Diego Soils Engineering, Inc., for geotechnical consultant services to increase the maximum sum from \$30,000 to \$35,000 for said consultant services and to extend the time to December 1, 1983.

CITY MANAGER REPORT:

The City annually contracts with geological firms to perform the professional review of geologic reports submitted with subdivision and other land development plans. Due to the complexity of the projects assigned to San Diego Soils Engineering, Inc., the cost of completing their reviews is projected to exceed the \$30,000 limit allowed by last year's contract. In order to allow San Diego Soils Engineering, Inc. to complete its review of projects in which it has been deeply involved, it is necessary that the old agreement be amended. It is proposed to raise the upper limit from \$30,000 to

\$35,000 and to extend the term of the agreement to December 1, 1983.
During this time extension, no new work will be given to San Diego
Soils Engineering, Inc. They will work only on completing already
assigned projects.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed
by the following vote: Mitchell-yea, Cleator-not present,
McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor Hedgecock-not present.

* ITEM-117: (R-84-763) ADOPTED AS RESOLUTION R-259615

Authorizing an agreement with Socioenvironmental
Consultants, Inc., for the purpose of performing the services
of a Downtown Transient Coordinator during the six-month period
of November 14, 1983 to May 11, 1984; authorizing the City
Manager to expend CDBG funds in an amount not to exceed \$32,440
from Fund 18519, Department 5717, Organization 1702 for the
above purpose.

(See City Manager Report CMR-83-459.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed
by the following vote: Mitchell-yea, Cleator-not present,
McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor Hedgecock-not present.

* ITEM-118: (R-84-589) CONTINUED TO DECEMBER 5, 1983

Declaring the real property and improvements owned by Johnny
E. Tyler, located at 3527 and 3529 "J" Street, to be a public
nuisance; authorizing the City Attorney to take appropriate
legal action to abate said nuisance.

CITY MANAGER REPORT:

The fire-damaged, two-story duplex dwelling at 3527-29 "J" Street
was inspected on December 2, 1982 as the result of a complaint. The
structure has been vacant and maintained secure from unauthorized
entry until April 11, 1983. On May 6, 1983, a notice declaring the
building a substandard structure was hand-delivered to the
owner-of-record. The case was submitted to the Housing Advisory and
Appeals Board at its regular meeting on June 10, 1983. The Board
unanimously approved the findings of the Housing Division, that,

"The building located at 3527-29 "J" Street, San Diego, is a substandard building as defined in the San Diego Housing Code and shall be abated by rehabilitation, demolition, or removal." The owner was not present at the meeting. The owner advised the Housing Division on June 10, 1983, that a loan application to rehabilitate the dwelling would be submitted to the Housing Commission. As of September 16, 1983, the Housing Commission had not received the application. Due to the fact that the owner of record has failed to take positive action to abate the conditions which render this building substandard, it is deemed necessary to initiate appropriate legal action to abate this public nuisance.

Alternative: Do not initiate abatement and allow the nuisance to remain.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A309-459).

MOTION BY JONES TO CONTINUE TO DECEMBER 5, 1983, AT HIS REQUEST, IN ORDER TO ALLOW TIME FOR THE OWNER TO ARRANGE FOR REHABILITATION

OF THE STRUCTURE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez- yea, Mayor Hedgecock-not present.

ITEM-150: (O-84-80 Rev.) INTRODUCED, TO BE ADOPTED DECEMBER 5, 1983

Introduction of an Ordinance amending Chapter VIII, Article 5, of the San Diego Municipal Code by amending Section 85.02 relating to truck parking by adding a paragraph as follows:
"It shall be unlawful for the driver, owner, lessee or lessor, consignee or consignor of a motor truck or equipment with a rated capacity exceeding one ton to park their vehicle for an excess of three hours (except when loading or unloading) along the following streets: 1) Clairemont Mesa Boulevard between I-805 and Pocahontas Avenue; and 2) Clairemont Drive."
(District-6.)

COMMITTEE ACTION: Initiated by TLU on 9/26/83. Recommendation to introduce the Ordinance. Districts 2, 3 and 5 voted yea. Districts 4 and 8 not present.

CITY MANAGER REPORT:

The Transportation and Land Use Committee, during the meeting of September 26, 1983, approved the request of Council Member Mike Gotch to amend Municipal Code Section 85.02 "Truck Parking Prohibited" to include making it unlawful for the driver, owner, or lessee, lessor, consignee or consignor of a motor truck or equipment

with a rated capacity exceeding one ton to allow such truck and/or equipment to remain parked for more than three hours (except when loading or unloading) upon the following streets: (a) Clairemont Mesa Boulevard between I-805 and Pocahontas Avenue; and (b) Clairemont Drive from the southerly terminus to the northerly terminus. A number of property owners in the Clairemont area have complained that large trucks parked at curbside are an eyesore to the community. The Committee also requested a staff report evaluating the possibility of amending Section 85.02 "Truck Parking Prohibited" to allow the Council, by Resolution, to add additional streets that also may benefit from such a parking restriction. Staff's report dealing with this proposed ordinance change will be submitted in approximately 60 days.

FILE LOCATION:

-

COUNCIL ACTION: (Tape location: A460-615).

MOTION BY GOTCH TO INTRODUCE THE ORDINANCE AND REFER TO THE CITY MANAGER THE ASPECT OF THE PROBLEM REGARDING CURB-SIDE PARKING OF TRUCKS AND VANS NEAR INTERSECTIONS THAT MAY OBSTRUCT THE VISION OF PEOPLE AND CREATE A SAFETY HAZARD. CONSIDER ADDRESSING AND INCLUDING THIS PROBLEM WITH A COMPREHENSIVE ORDINANCE AT THE TIME THAT ONE IS BROUGHT BACK TO THE COUNCIL. ALSO, GIVE CONSIDERATION TO WHERE THESE VEHICLES WILL PARK AFTER THEY HAVE BEEN BANNED FROM CITY STREETS. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-200: (O-84-83) INTRODUCED AND ADOPTED AS ORDINANCE O-16083 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16007 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1983-84 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16007-1, as amended and adopted therein, by adding to the personnel authorization of Council District 7 (027), one Council Representative I position; exempting said position from

the classified service and establishing a salary rate therefor.
FILE LOCATION:

-
COUNCIL ACTION: (Tape location: A616-625).

MOTION BY MURPHY TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Gotch. Passed by the following vote:
Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-201: (O-84-81) FIRST HEARING HELD

First public hearing in the matter of amending Ordinance O-16007 (New Series), entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1983-84 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16007-1 and No. 00-16007-2, as amended and adopted therein, by adding to the personnel authorization of the City Attorney's Department (045) one Chief Deputy City Attorney position; transferring within the General Fund 100, the sum of \$35,078 from the unallocated reserve (605) to the City Attorney's Department (045), for the purpose of providing personnel and related non-personnel funds for the above position.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A626-638).

MOTION BY JONES TO APPROVE FOR SECOND HEARING. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-202: (R-84-730) ADOPTED AS AMENDED AS RESOLUTION R-259616

Approving and confirming the itemized cost report for the Weed Abatement Program for 1983 attached to City Manager Report CMR-83-460; authorizing the Fire Chief to bill the owners of those parcels of property indicated on the itemized cost report; directing the City Clerk to file a certified copy of this resolution and the itemized cost report with the County Auditor on or before August 10, 1984, to be recorded as a lien against those parcels of property indicated on the report for which the City has not been reimbursed for the cost of the abatement.

(See City Manager Report CMR-83-460.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A639-D229).

Hearing began at 2:46 p.m. and halted at 4:25 p.m.

Testimony in opposition to the abatement costs by Margaret Boyd, Henry Boyd, Bette Castleman, Harvard Hurst, Joe Gerrity, John Truesdale, Robert Christenson, Walter Swift, and Anne Von der Mehdea.

Motion by Murphy to refer the appeal of Henry and Margaret Boyd (Parcel No. 549-362-19) to the City Manager for an investigation of the disputed facts and report back to the Council in three weeks. Second by Martinez. Passed. Yeas: 1,3,4,5,6,7,8. Not present: 2,M.

Motion by Struiksma to deny the appeal of Bette Castleman (Parcel No. 535- 241-02 thru 04), and uphold the City Manager's recommendation. Second by Murphy. Passed. Yeas: 1,3,4,5,6,7,8. Not present: 2,M.

Motion by Gotch to deny the appeal of Harvard Hurst (Parcels Nos. 477-590- 37, 477-590-38, and 477-590-12 thru 20), and uphold the City Manager's recommendation. Second by Martinez. Passed. Yeas: 1,3,4,6,7,8. Not present: 2,5,M.

Motion by Jones to Deny the appeal of Joe Gerrity (Parcel No. 442-582-16), and uphold the City Manager's recommendation. Second by McColl. Passed. Yeas: 1,3,4,6,7,8. Not present: 2,5,M.

Motion by McColl to deny the appeal of John Truesdale (Parcel No. 454-620- 15), and uphold the City Manager's recommendation. Second by Gotch. Passed. Yeas: 1,3,4,6,7,8. Not present: 2,5,M.

Motion by Murphy to deny the appeal of Robert Christenson (Parcel No. 547- 280-27), and uphold the City Manager's recommendation. Second by Martinez. Passed. Yeas: 1,3,4,6,7,8. Not present: 2,5,M.

Motion by Murphy to waive the City overhead charge for Parcel No. 471-622-21 (Walter Swift). No Second

Motion by McColl to refer the appeal regarding Parcel No. 471-622-21 back to the City Manager for further discussion with the owner, and consider possibly making an adjustment to the abatement cost. Report back to the Council on December 5, 1983. Second by Gotch. Passed. Yeas: 1,3,4,6,7,8. Not present: 2,5,M.

Motion by Gotch to deny the appeal of Anne Von der Mehdea (Parcel No. 448- 081-19), and uphold the City Manager's recommendation. Second by Martinez. Passed. Yeas: 1,3,6,7,8. Not present: 2,4,5,M.

Motion by Murphy to refer to the Public Facilities and Recreation Committee the discussion of whether the weed abatement ordinance should be expanded to include "street scapes." Second by Gotch. Passed. Yeas: 1,3,4,6,7,8. Not present: 2,5,M.

MOTION BY MURPHY TO ADOPT AS AMENDED AND APPROVE THE SEVEN PARCELS AS RECOMMENDED BY THE CITY MANAGER FOR REDUCTION OF

THE

AMOUNT PREVIOUSLY ASSESSED (PARCEL NOS. 449-101-07, 545-401-08, 534-421-13 & 14, 548-311-18 THRU 20, 630- 010-10, AND 472-040-44, REDUCED TO ZERO AMOUNT; PARCEL NO. 471-542-24 REDUCED FROM \$280.72

TO \$183.22). Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-S400: (R-84-721) ADOPTED AS RESOLUTION R-259617

Declaring Cook Building Maintenance to be in default of the contract for furnishing complete cleaning maintenance within the Gaslamp Quarter which was authorized by Resolution R-256945, adopted on August 9, 1982; authorizing the Purchasing Agent or his designated representative to solicit informal quick quotes and to award to the low responsible bidder to perform this work during an interim period of three or four months on a month-to-month basis while the contract is being rebid and furthermore, if performance of the low responsible bidder is unsatisfactory during this interim period, authorizing the Purchasing Agent to cancel the agreement with the low bidder and award to the second low bidder. BID4630

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

* ITEM-S401: (R-84-843) ADOPTED AS RESOLUTION R-259618

A Resolution approved by the City Council in Closed Session on Monday, November 7, 1983 by the following vote: Mitchell-yea, Cleator-yea, McColl- yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea. Authorizing the City Manager to pay the total sum of \$300,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Carolyn Oldner (Superior Court Case No. 476730, Carolyn Oldner v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total

amount of \$300,000 made payable to Carolyn Oldner and her Attorney of record, Robert Baron, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT:

This constitutes the complete and final settlement of Carolyn Older's personal injuries of January 8, 1981.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-195).

CONSENT MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-S402: (O-84-91) FIRST HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-16007 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1983-84 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16007-1, as amended and adopted therein, by adding to the personnel authorization of Council District 5 (025), one Council Representative I position; exempting said position from the classified service and establishing a salary rate therefor.

NOTE: Pursuant to the City Charter, the second public hearing for the introduction and the adoption of the Ordinance will be Tuesday, November 15, 1983. See Item S500.

FILE LOCATION:

-

COUNCIL ACTION: (Tape location: D230-246).

MOTION BY McCOLL TO APPROVE FOR SECOND HEARING. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-UC-1: (R-84-776) ADOPTED AS RESOLUTION R-259619

A Resolution presented to the City Council with **UNANIMOUS CONSENT:**

Excusing Deputy Mayor Bill Cleator from the scheduled meetings of November 14, 1983 of the City Council and Council Committee on Transportation and Land Use for the purpose of vacation.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D247-248).

MOTION BY McCOLL TO ADOPT. Second by Struiksmā. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmā-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ADJOURNMENT:

By common consent, the meeting was adjourned by Chairperson Mitchell at 4:30 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: D248-249).